

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
BENJAMIN RUTH,
Defendant.

Case No. 2:22-cr-00163-GMN-EJY

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Undersigned defense counsel requires additional time to review discovery and conduct independent investigation to determine whether there are any pretrial issue that need to be litigated.
 2. The parties agree to the continuance.
 3. The defendant is out of custody and does not oppose the continuance.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including October 7, 2024, file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties herein shall have to and including October 21, 2024, to file any and all responses.

IT IS FURTHER ORDERED that the parties herein shall have to and including October 28, 2024, to file any and all replies.

DATED this 12th day of August, 2024.

Payna J. Zouchah
UNITED STATES MAGISTRATE JUDGE